

REMARKS

By this Amendment, the specification is amended, Figs. 2A, 2B, and 4A are amended, and claims 1-6 are amended. Accordingly, favorable reconsideration and prompt allowance of claims 1-6 is respectfully requested.

In paragraph 2 of the Office Action, the Patent and Trademark Office (PTO) asserts that Fig. 6(b) of Korean Publication 2000-55899 raises a question of relevance to the claimed invention not adequately explained in the translated abstract. Accordingly, a full translation of the Korean publication is provided.

The PTO objects to Figs. 2A, 2B, and 4A based upon informalities. Figs. 2A, 2B, and 4A are amended to obviate the objection. Specifically, Figs. 2A, 2B, and 4A have been designated by the legend, "Prior Art," as requested by the Examiner. Accordingly, withdrawal of the objection to the drawings is respectfully requested.

In addition, the PTO objects to the abstract because of numerous minor grammatical errors. The abstract is amended to obviate the objection. Accordingly, withdrawal of the objection to the abstract is respectfully requested.

The PTO further objects to the disclosure for informalities. The specification, specifically, paragraphs [0004], [0005], [0023], [0027], [0029], [0035], and [0038] are amended to obviate the objections thereto. Accordingly, withdrawal of the objections to the disclosure is respectfully requested.

The PTO further objects to the specification under 35 U.S.C. §112, first paragraph, for being replete with terms that are not clear, concise, and exact. Specifically, the PTO objects to the use of the percentage sign “%,” to designate a modulo division operation. Applicants respectfully submit that the PTO has the initial burden of presenting by a preponderance of evidence why a person skilled in the art would not recognize, in Applicants' disclosure, a description of the invention defined by the claims. Indeed, the PTO acknowledges, at paragraph 7 of the Office Action, that “this convention, [i.e., the % sign,] is sometimes used in computer code,” to designate modulo division. Based upon the PTO's own admission, the PTO has failed to provide reasons why persons skilled in the art would not have recognized that the inventor was

in possession of the invention as claimed, in view of the above noted disclosure. Notwithstanding the Applicants' argument above, Applicants amend paragraph [0031] to clarify the use of the "%" sign as indicating a modulo division operation. Accordingly, withdrawal of the objection to the specification is respectfully requested.

In addition, claims 1-6 are objected to because of various informalities. The claims are amended to obviate the objections thereto.

Furthermore, claims 3-6 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regards as the invention. Claims 3-6 are amended accordingly to obviate the objections thereto.

The PTO further rejects claims 1-3 and 6 under 35 U.S.C. §103(a) over U.S. Patent No. 6,108,040 to Moteki et al. ("Moteki") in view of at least one of U.S. Patent No. 6,282,243 to Kazui et al. ("Kazui"), U.S. Patent No. 6,380,986 to Minami et al. ("Minami"), U.S. Patent Application Publication No. 2004/0141554 to Phong et al. ("Phong"), and U.S. Patent No. 6,813,351 to Auyeung et al. ("Auyeung"). These rejections are respectfully traversed based upon the amendments to the claims and the following remarks.

Applicants thank the Examiner for the indication that claims 4 and 5 would be allowable if rewritten to overcome the objections and rejections under 35 U.S.C. 112, second paragraph, and if rewritten to include the limitations of claim 1. The Examiner further states that the reason for the indication of allowable subject matter is that "claims 4-5 are directed to entering macroblock data into an adjustable circular buffer based upon a search range."

Based upon the Examiner's statement, claim 1 is amended to recite "moving a predetermined amount of macro block data to a block location making the block buffers form a circular buffer if the motion detection is not completed in the vertical direction." Because the applied art fails to disclose at least this feature, claim 1 is in condition for allowance. Claims 2-6 depend from this independent claim and are likewise patentable over the applied art for at least their dependence on an allowable base claim, as well as for the additional features they recite. Accordingly, withdrawal of this rejection is respectfully requested.

All objections and rejections have been addressed. In view of the foregoing, Applicants respectfully submit that the application is in condition for allowance and favorable reconsideration and prompt allowance of claims 1-6 are earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,
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Enclosures:

Translation of Korean Publication 2000-55899

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FIG. 2A
(PRIOR ART)

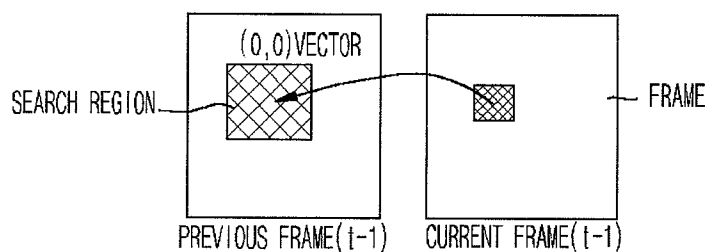


FIG. 2B
(PRIOR ART)

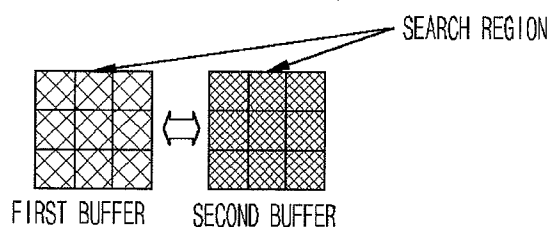


FIG. 3

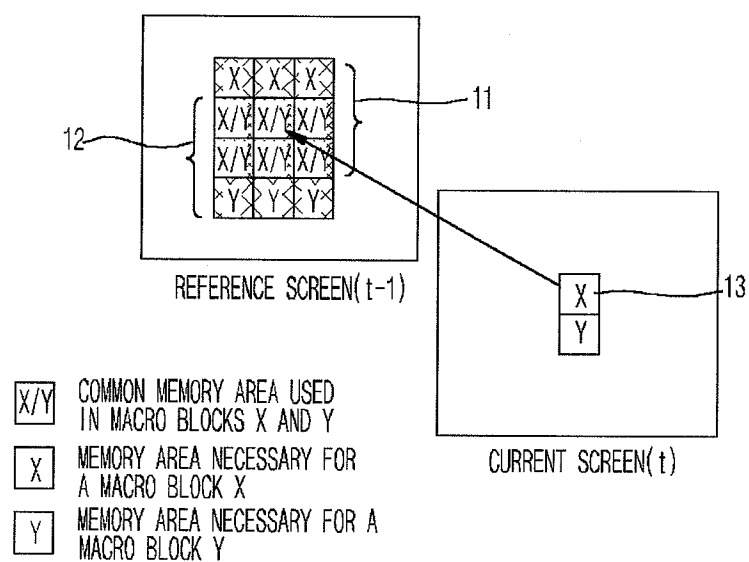


FIG. 4A (PRIOR ART)

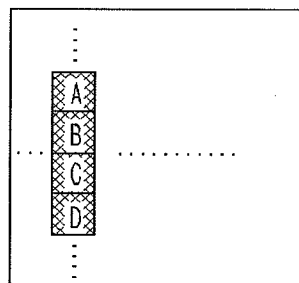
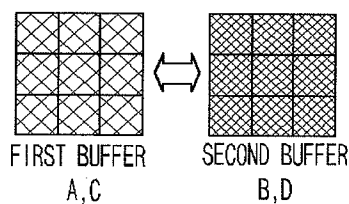


FIG. 4B

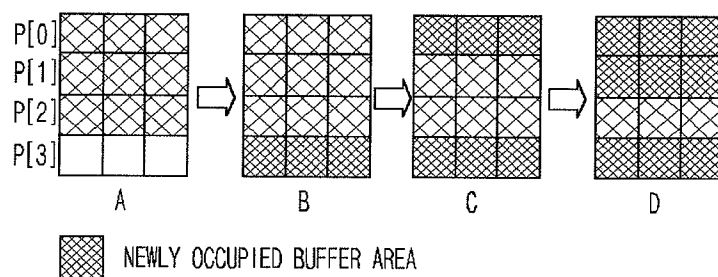


FIG. 5A

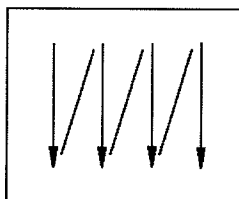


FIG. 5B

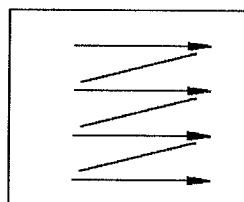


FIG. 5C

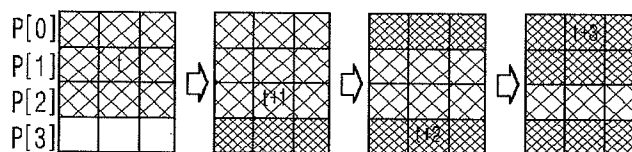


FIG. 5D

